

REMARKS

Claims 1-27, as amended, are pending in this application. In this Response, Applicant has amended certain claims. In light of the Office Action, Applicant believes these amendments serve a useful clarification purpose, and are desirable for clarification purposes, independent of patentability. Accordingly, Applicant respectfully submits that the claim amendments do not limit the range of any permissible equivalents.

In particular, independent claim 1 has been rewritten to clarify that the transcription management system includes a document distribution module. Dependent claim 5 has been canceled to maintain consistency with the changes to independent claim 15, and dependent claim 6 has been amended to change its dependency. As no new matter has been added, Applicant respectfully requests entry of these amendments at this time.

THE REJECTIONS UNDER 35 U.S.C. § 1033

The §103(a) Rejection of Independent Claim 1 Based on Lucas

In the Office Action, claims 1-8, 11-12, and 26-27 were rejected under 35 U.S.C. §102(b) as being obvious in view of U.S. Patent Publication 2002/0143533 by Lucas ("Lucas"). Applicant submits that Lucas does not disclose the present invention for the reasons that follow.

At pages 2-3 of the Office Action, the Examiner states that Lucas discloses a transcription management system that includes a central file system, a content indexing module, and a document management module. Independent claim 1 has been amended to include the features previously described in dependent claim 5. Independent claim 1, as amended, clarifies that this embodiment of Applicant's invention includes a document distribution module that is operable to distribute documents based at least in part on a preference of at least one recipient stored in a database.

At page 4 of the Office Action, the Examiner rejects claim 5 based on the Abstract and paragraphs 22-24 of the specification of Lucas. However, paragraphs 22-24 of Lucas do not disclose document distribution. Specifically, Lucas does not mention distributing documents based at least in part on a preference of at least one recipient stored in a database. In light of this amendment, Applicant respectfully submits that the §103(a) rejection of independent claim 1 has been overcome. Reconsideration and allowance are respectfully requested.

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The §103(a) Rejection of Independent Claim 16 Based on Lucas

At page 6 of the Office Action, the Examiner rejected independent claim 16 under 35 U.S.C. §103(a) as being unpatentable over Lucas. In particular, the Examiner states that every element of the present invention can be seen in the invention by Lucas. However, the Abstract and paragraphs 22-24 of the specification of Lucas do not teach all of the elements of claim 16. Specifically, Lucas does not disclose automatically recommending to a user a preferred method of distributing a transcribed documents based at least in part on a preference of a recipient. Thus, the Examiner has not made out a prima facie case of obviousness and reconsideration of claim 16 is respectfully requested.

The §103(a) Rejection of Independent Claim 20 Based on Lucas

At page 7 of the Office Action, the Examiner rejected independent claim 22 under 35 U.S.C. §103(a) as being unpatentable over Lucas. In particular, the Examiner states that every element of the present invention can be seen in the invention by Lucas. However, the Abstract and paragraphs 22-24 of the specification of Lucas do not teach all of the elements of claim 22. Specifically, Lucas does not disclose automatically recommending to a user a preferred method of distributing a transcribed documents based at least in part on a preference of a recipient. In addition, paragraphs 63-65 of Lucas do not disclose transmitting a transcribed document in response to receiving information from a user regarding a selected method of distribution. Thus, the Examiner has not made out a prima facie case of obviousness and reconsideration of claim 22 is respectfully requested.

The Dependent Claims

In the Office Action, the Examiner rejected dependent claims 2-8, 11-12, and 26-27 under 35 U.S.C. §103(a) as being unpatentable over Lucas. In addition, the Examiner rejected dependent claims 9-10, and 23-25 under 35 U.S.C. §103(a) as being unpatentable over Lucas in view of U.S. Patent No. 5,978,755 to Podhradsky ("Podhradsky"). Applicant submits, however, that claims 2-12 and 23-27, at least by virtue of dependency from claims 1, 16, or 22, are in condition for allowance. Reconsideration and allowance are respectfully requested.

CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments still do not resolve all of the issues regarding patentability of the pending claims, Applicant invites the Examiner to contact the undersigned attorneys to discuss any remaining issues.

A Petition for Extension of Time is submitted herewith to extend the time for response three months to and including June 16, 2004. No other fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Swidler Berlin Shereff Friedman, LLP Deposit Account No. 195127, Order No. 25241.0004.

Respectfully submitted,
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Dated: June 16, 2004

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